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18 **UNITED STATES DISTRICT COURT**  
19 **SOUTHERN DISTRICT OF CALIFORNIA**

20 **IN RE: INCRETIN-BASED**  
21 **THERAPIES PRODUCTS**  
22 **LIABILITY LITIGATION**

23 **Relates to: ALL CASES**  
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**MDL No. 13-md-2452-AJB-MDD**

**NOTICE OF MOTION AND MOTION  
TO COMPEL FURTHER  
RESPONSES TO PLAINTIFFS' SET II  
WRITTEN DISCOVERY**

**Date: September 29, 2014**  
**Time: 10:00 a.m. PDT**  
**Judge: Hon. Anthony J. Battaglia**  
**Via Telephone to be**  
**Initiated by Plaintiffs**

Case No. 13-md-02452-AJB-MDD

NOTICE OF MOTION AND MOTION TO COMPEL FURTHER RESPONSES  
TO PLAINTIFFS' SET II WRITTEN DISCOVERY

1 **TO DEFENDANTS AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on September 29, 2014, at 10:00 a.m., or as  
3 soon thereafter as possible, Plaintiffs will move the Honorable Anthony J. Battaglia,  
4 Courtroom 3B, Edward J. Schwarz Courthouse, 221 West Broadway, San Diego,  
5 California 92101, for an Order compelling each Defendant to provide meaningful  
6 supplemental responses to Plaintiffs' Set II written discovery. The specific requests at  
7 issue are Interrogatory Nos. 2 – 9, Document Request Nos. 4 – 8 and 10, and Request  
8 for Admission Nos. 1 – 11 and 30 – 37.

9 This motion is brought pursuant to Fed. R. Civ. P. 26(g), 33, 34, 36, 37(a)(3)(B)  
10 and 37(c)(2). The motion is supported by a Memorandum of Points and Authorities  
11 and its exhibits reciting verbatim the requests and responses at issue. Plaintiffs certify  
12 that they have in good faith conferred with each Defendant in an effort to obtain the  
13 discovery without court action, but were unsuccessful as further described in the  
14 Memorandum.

15  
16 DATED: September 16, 2014

**PLAINTIFFS' COUNSEL**

17 s/\_\_\_\_\_  
18 s/Michael K. Johnson

19 Michael K. Johnson

20 Attorney for Plaintiffs

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s/Michael K. Johnson  
Michael K. Johnson  
Attorney for Plaintiffs